Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 020-11908-1122-455	Date: 07/08/20	Time: 0050	
Location: Lancaster Boulevard/Sierra Highway		City or Station: Lancaster	
Bureau/Station/Facility: North Patrol Division/Lancaster Station		Admin. Investigation: ○ YES ◉ NO	
Type of Force: Control Holds			
Incident Category: ○ 1 ○ 2 ◉ 3	Deputy Injury: ○ YES ◉ NO	Suspect Injury ◉ YES ○ NO	
☒ Call	☐ Observation	☐ Detail	☐ Foot Pursuit ☐ Vehicle Pursuit
IAB Notified: ◉ YES ○ NO	Person Notified: Lt. Chris Mouat	Emp: [redacted]	IAB Roll Out ◉ YES ○ NO

Involved Employee

E 1

Employee #: [redacted]	Last Name: Nurse	First Name: Jeremiah	Middle I.: D.	Rank: DSG	
Sex: ◉ M ○ F	Race: B	Height: 510	Weight: 200	Age: [redacted]	Shift: ◉ EM ○ Day ○ PM — ◉ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: Lancaster Station			Work Assignment (Unit #, Module, etc.): Unit 111A/E		
Individual Force Used: Control Holds		○ Directed ◉ Rescue ○ Medical Assist		Individual Category ○ 1 ○ 2 ◉ 3	
☐ Injured ☐ Treated ☐ Admitted	Facility:			Coroner Case #	

E 2

Employee #: [redacted]	Last Name: [redacted]	First Name: [redacted]	Middle I.: [redacted]	Rank: DSG	
Sex: ◉ M ○ F	Race: W	Height: 509	Weight: 175	Age: [redacted]	Shift: ◉ EM ○ Day ○ PM — ◉ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: Lancaster Station			Work Assignment (Unit #, Module, etc.): Unit 111/E		
Individual Force Used: Control Holds		○ Directed ◉ Rescue ○ Medical Assist		Individual Category ◉ 1 ○ 2 ○ 3	
☐ Injured ☐ Treated ☐ Admitted	Facility:			Coroner Case #	

E__

Employee #:	Last Name:	First Name:	Middle I.:	Rank:	
Sex: ○ M ○ F	Race:	Height:	Weight:	Age:	Shift: ○ EM ○ Day ○ PM — ○ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment:			Work Assignment (Unit #, Module, etc.):		
Individual Force Used:		○ Directed ○ Rescue ○ Medical Assist		Individual Category ○ 1 ○ 2 ○ 3	
☐ Injured ☐ Treated ☐ Admitted	Facility:			Coroner Case #	

On Duty Supervisor

☐ Additional Involved Employees

Emp #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Griffith	John	D.	SGT	YES ○ NO ◉	YES ◉ NO ○

Supervisor Completing Investigation

Emp #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Cunningham	Jason	M.	SGT	YES ○ NO ◉	YES ○ NO ◉

Watch Commander / Supervising Lieutenant

Emp #	Last Name	First Name	Middle I.	Rank
[redacted]	Mouat	Chris	J.	Lt.

[signature] w/Lt. V. Pedroza # [redacted] 3/24/21

Watch Commander / Supervising Lieutenant's **Signature**: Date

Copy Provided to Employee by: [redacted] Emp #: 4/15/21 Date

WILLIAM E. JAEGER [signature]

Unit Commander **(Print Name)** Unit Commander's **Signature**:

DISCOVERY Use Only
FO#

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 01/13)

Supervisor's Report on Use of Force
SUSPECT INFORMATION

0 2 0 - 1 1 9 0 8 - 1 1 2 2 - 4 5 5

Suspect Information

S 1

Last Name [redacted] First Name [redacted] Middle Name [redacted] Armed? Select: Not Armed

AKA Last Name First Name Middle Name

Sex: ○ Male ◉ Female | Race: W | Age: 32 | Height: [redacted] | Weight [redacted] | D.O.B: [redacted] | Phone #1: ◉ H ○ W ○ C [redacted] | Phone #2: ○ H ○ W ○ C

Street Address: [redacted] City: [redacted] State & Zip Code: [redacted]

Booking #: N/A Primary Charge Code: 5150 WIC Secondary Charge Code: [redacted] Criminal History

Treated on Scene? ◉ YES ○ NO Name: Captain Michael Cash Unit: 33 Phone #: 661-948-1180

Hospital Admission? ☒ Rec'd Treatment At: AVHMC Coroner Case #: Mental History ☒ User's guide provides direction on this entry

By: Conrado Sevilla, M.D. Address: 1600 West Avenue J Phone #: 661-949-5000

Under Influence: ○ YES ◉ NO Substance: 5150 a factor in force? ◉ YES ○ NO User's guide provides direction on this entry

Suspect Interview

Date: 07/08/20 Time: 0205 ☐ Audiotape: ☒ Videotape: ☒ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name First Name Middle Name Armed? Select

AKA Last Name First Name Middle Name

Sex: ○ Male ○ Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ○ H ○ W ○ C | Phone #2: ○ H ○ W ○ C

Street Address: City: State & Zip Code:

Booking #: Primary Charge Code: Secondary Charge Code: ☐ Criminal History

Treated on Scene? ○ YES ○ NO By: Unit: Phone #:

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case #: Mental History ☐ User's guide provides direction on this entry

By: Address: Phone #:

Under Influence: ○ YES ○ NO Substance: 5150 a factor in force? ○ YES ○ NO User's guide provides direction on this entry

Suspect Interview

Date: Time: ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name First Name Middle Name Armed? Select

AKA Last Name First Name Middle Name

Sex: ○ Male ○ Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ○ H ○ W ○ C | Phone #2: ○ H ○ W ○ C

Street Address: City: State & Zip Code:

Booking #: Primary Charge Code: Secondary Charge Code: ☐ Criminal History

Treated on Scene? ○ YES ○ NO By: Unit: Phone #:

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case #: Mental History ☐ User's guide provides direction on this entry

By: Address: Phone #:

Under Influence: ○ YES ○ NO Substance: 5150 a factor in force? ○ YES ○ NO User's guide provides direction on this entry

Suspect Interview

Date: Time: ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

☐ **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION

020 - 11908 - 1122 - 455

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Griffith	John	D.
Unit of Assignment: Lancaster Station	**Work Assignment (Unit #, Module, etc.):** 110S/E	**Shift:** (•) EM ( ) Day ( ) PM	(•) Regular ( ) OT ( ) Off Duty
Emp. #	Last Name	First Name	Middle Name
Unit of Assignment:	**Work Assignment (Unit #, Module, etc.):**	**Shift:** ( ) EM ( ) Day ( ) PM	( ) Regular ( ) OT ( ) Off Duty
Emp. #	Last Name	First Name	Middle Name
Unit of Assignment:	**Work Assignment (Unit #, Module, etc.):**	**Shift:** ( ) EM ( ) Day PM	( ) Regular ( ) OT ( ) Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
Cash	Michael	Camron	53	[redacted]
Street Address: LACO Fire Dept. Sta. 33: 44947 Date Avenue	**City:** Lancaster	**Zip Code:** 93534	**Phone #1:** [redacted]	**Phone #2:**
Fernandez	John	Lewis	43	[redacted]
Street Address: LACO Fire Dept. Sta. 33: 44947 Date Avenue	**City:** Lancaster	**Zip Code:** 93534	**Phone #1:** [redacted]	**Phone #2:**
Arrietta	Colton	Matthew	35	[redacted]
Street Address: LACO Fire Dept. Sta. 33: 44947 Date Avenue	**City:** Lancaster	**Zip Code:** 93534	**Phone #1:** [redacted]	**Phone #2:**
[redacted]	[redacted]		Adult	
Street Address: [redacted]	**City:** [redacted]	**Zip Code:** [redacted]	**Phone #1:** [redacted]	**Phone #2:**
[redacted]	[redacted]	[redacted]	32	[redacted]
Street Address: [redacted]	**City:** [redacted]	**Zip Code:** [redacted]	**Phone #1:** [redacted]	**Phone #2:**
[redacted]	[redacted]	[redacted]	47	[redacted]
Street Address: [redacted]	**City:** [redacted]	**Zip Code:** [redacted]	**Phone #1:** [redacted]	**Phone #2:**
[redacted]	[redacted]		24	[redacted]
Street Address: [redacted]	**City:** [redacted]	**Zip Code:** [redacted]	**Phone #1:** [redacted]	**Phone #2:** [redacted]
Street Address:	**City:**	**Zip Code:**	**Phone #1:**	**Phone #2:**
Street Address:	**City:**	**Zip Code:**	**Phone #1:**	**Phone #2:**

☐ **Additional Witness**

Supervisor's Report on Use of Force

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Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
[redacted]	S/1	Nurse	E/1	UC		
	S/1	[redacted]	E/2	UC		
	S/1	Nurse	E/1	RS		
	S/1	[redacted]	E/2	RS		
Nurse	E/1		S/1	CT	FR	SH
[redacted]	E/2		S/1	CT	NN	SH

INVESTIGATIVE SUMMARY

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT:	**Category 3 Use of Force-Control Holds, Fractured Left Clavicle**
IAB FILE NUMBER:	**FO 2512813**
URN#:	**020-11908-1122-455**
DATE/TIME:	**July 8, 2020, 0050 Hours**
LOCATION:	**Lancaster Boulevard / Sierra Highway, Lancaster**

On Wednesday, July 8, 2020, an Internal Affairs Bureau (IAB) Force Rollout Team comprised of Lieutenant Chris Mouat, #[redacted], Sergeant Jason Cunningham, #[redacted], and Sergeant Francois Chang, #[redacted], responded to Lancaster Station, regarding a Category 3 use of force wherein the patient suffered a fracture to her left clavicle.

All reports involving this incident, including actions and observations by each involved employee, are submitted **[Exhibit A]**.

SYNOPSIS:

On July 8, 2020, [redacted] (Patient [redacted]) was having a mental health crisis and attempted to kill herself by placing herself in the path of an oncoming train, near the intersection of Lancaster Boulevard and Sierra Highway. Patient [redacted] was a 32 year old female, who lived with three full time in-home caretakers who assisted her with her care due to her medical conditions. She was described as being autistic, bipolar, and schizophrenic.

On the evening of July 7, 2020, prior to attempting to harm herself, Patient [redacted] requested for her caretakers to take her to the hospital regarding a complaint of heartburn. Patient [redacted]s caretakers were familiar with her attention seeking behavior, and they declined to take her to the hospital. Patient [redacted] became upset and she urinated and defecated on herself. She left her apartment and knocked over trashcans in the street and hit parked vehicles with her hands.

On July 8, 2020, at approximately 0015 hours, one of her caretakers, Witness [redacted] called "911", and reported her actions **[EXHIBIT F, Incident History LAN20190-0003]**. The caretakers convinced Patient [redacted] to return to her

apartment. Deputy Jeremiah Nurse, #[redacted] Unit 111A, was assigned the routine disturbance call and Deputy [redacted] #[redacted] Unit 111, was assigned as the assisting unit.

IAB Note: The call location generated a Hazard Hit or note in the call log (*902A/918 History, Non-Violent*), indicating a non-violent person with a history of suicide attempts and mental illness.

A short time later, Patient [redacted] demanded for her caretakers to call the paramedics. When her caretakers refused, she stated she was going to walk to Lancaster Station, so she could be transported by ambulance to the hospital. While walking toward the Sheriff's station from her apartment, Patient [redacted] picked up an unknown plastic object from the ground and attempted to cut her arm with it. She then heard a train approaching on the train tracks, which crossed Lancaster Boulevard, east of Sierra Highway. Patient [redacted] ran toward the tracks and told her caretakers she would go to the hospital when she was hit by the train. One of her caretakers, Witness [redacted] restrained Patient [redacted] by grabbing her shirt around the collar and held her back as the train passed. After the train passed, Patient [redacted] was released by Witness [redacted] and she sat on the tracks to wait for the next train. At approximately 0025 hours, Witness [redacted] called 911 a second time and reported Patient [redacted] tried to cut herself and she was now sitting on the train tracks. The call was updated and prioritized as an emergent call. Lancaster Station dispatch personnel contacted the handling and assisting units over the radio on the local tactical frequency (L-Tac) and advised them of the update.

Deputies Nurse and [redacted] advised they would respond Code-3, in tandem, to the call. They arrived at approximately 0032 hours and contacted Patient [redacted] along with her caretakers, at the furthest east, north-south train track. Deputies [redacted] and Nurse spoke with Patient [redacted], who was seated with her legs crossed, on the train tracks, within the number two lane of westbound Lancaster Boulevard. After several minutes of trying to gain her voluntary compliance to move herself off the tracks, Los Angeles County Fire personnel arrived. Fire personnel, including Captain Michael Cash (Witness Cash), were familiar with Patient [redacted] and her "long history of psychiatric issues." They also attempted to convince her to remove herself from the tracks; however, she refused to move.

The deputies and fire personnel soon noticed an approaching southbound freight train in the distance. Patient [redacted] continued to be uncooperative and refused to move. The deputies formulated a plan to use control holds, and they each grabbed one of Patient [redacted]s arms, under her armpit, and dragged her backwards several feet off the tracks. Patient [redacted] passively resisted their efforts by remaining limp and she made no attempt to stand or move. Near the end of the movement, both deputies heard a "pop" sound from Patient [redacted]s left shoulder and heard her say, "Ow." Once away from the train tracks, fire and ambulance personnel assumed control of Patient [redacted]s care and they lifted her onto a gurney without the assistance of the deputies. While on the gurney, Patient [redacted] complained of pain to her left arm and shoulder.

Patient [redacted] was detained and transported to Antelope Valley Hospital for a psychiatric evaluation.

Deputies Nurse and [redacted] called Field Sergeant John Griffith, # [redacted] Unit 110S, by cell phone and reported their actions and their use of force before leaving the scene. They advised him Patient [redacted] complained of pain to her shoulder. Sergeant Griffith responded to the scene of the incident and took photographs and a 360 degree video. Sergeant Griffith then responded to Antelope Valley Hospital and conducted a video interview of Patient [redacted]

Deputy Nurse completed a psychiatric hold application and an incident report under file number #020-11908-1122-455. Deputy Nurse's report included his use of force and witness of force. Deputy [redacted] completed a supplemental report which included his use of force and witness of force. Sergeant Griffith reviewed and approved both deputies' reports.

Patient [redacted] was admitted to Antelope Valley Hospital for a psychiatric evaluation per 5150 of the Welfare and Institutions Code. Her complaint of pain to her left shoulder was discovered to be a fractured left clavicle. Patient [redacted] was discharged on July 10, 2020. She was not arrested for any crime.

Sergeant Griffith made telephonic notification to IAB Lieutenant Mouat. Lieutenant Mouat and Sergeants Cunningham and Chang responded to Lancaster Station to collect all relevant reports, photographs, and video recordings from Sergeant Griffith **[EXHIBIT B]** and initiated a use of force investigation.

INVOLVED EMPLOYEES AND WORK HISTORY

Jeremiah Nurse, Deputy Sheriff, # [redacted]

North Patrol Division – Lancaster Station

Work History

Date of Employment:	August 20, 2018
Date Assigned to Lancaster Station:	October 20, 2019
Date Completed Patrol Training:	[redacted]
Prior Founded Force Incident(s):	

Equipment Worn On Person

On July 8, 2020, Deputy Nurse was wearing his Class "A" uniform with a Sam Browne duty belt **[See photograph of Deputy Nurse in uniform, taken July 8, 2020, EXHIBIT E].** The equipment worn on his duty belt included:

Smith & Wesson, M&P, 9mm, pistol
Oleoresin Capsicum (OC) Spray
Expandable Baton
Two Handcuffs
Portable Radio
Belt Tactical Flashlight
Folding Knife
Hobble
Tourniquet

[redacted] Deputy Sheriff, #[redacted]

North Patrol Division – Lancaster Station

Work History

Date of Employment:	March 15, 2018
Date Assigned to Lancaster Station:	March 31, 2019
Date Completed Patrol Training:	[redacted]
Prior Founded Force Incident(s):	

Equipment Worn On Person

On July 8, 2020, Deputy [redacted] was wearing his Class "A" uniform with a Sam Browne duty belt **[See photograph of Deputy [redacted] in uniform taken July 8, 2020, EXHIBIT E].** The equipment worn on his duty belt included:

Smith & Wesson, M&P, 9mm, pistol
Oleoresin Capsicum (OC) Spray
Taser
Tourniquet
Two Handcuffs
Portable Radio
Folding Knife
Pocket Tactical Flashlight
Leather Gloves

<u>PATIENT INFORMATION</u>



[redacted]

Female, White, DOB: [redacted] pounds
[redacted]
CII # [redacted] MAIN # [redacted], FBI # [redacted]

The report from Consolidated Criminal History Reporting System (CCHRS) **[EXHIBIT C]** showed Patient [redacted] was [redacted]

On October 20, 2019, Patient [redacted] was [redacted]. She has a pending a competency hearing and court date on May 25, 2021 at Michael D. Antonovich Courthouse (Antelope Valley Courthouse) under case number [redacted] **[See Patient [redacted]s Court Record, Miscellaneous Documents].**

WITNESSES

The following persons were identified as potential witnesses to the events surrounding the use of force incident:

Sergeant John Griffith
Fire Captain Michael Cash
Firefighter John Fernandez
Firefighter Colton Arrieta
Vicky Miranda
[redacted]

PATIENT [redacted]S INJURIES

Patient [redacted] sustained a "displaced oblique mid left clavicular fracture." She was transported from the scene by ambulance to Antelope Valley Hospital and admitted by Dr. Conrado Sevilla. Sergeant Griffith responded to the hospital and documented Patient [redacted]s injuries during his video recorded interview **[EXHIBIT B]**.

Witness Nurse Practitioner Vicky Miranda was interviewed by IAB Investigators and provided Patient [redacted]s diagnosis and was knowledgeable of her mental health history. Patient [redacted]s hospital admission and clavicle fracture was documented in medical reports generated by Antelope Valley Hospital medical staff **[EXHIBIT D]**.

DEPUTY PERSONNEL INJURIES

No Department personnel were injured during this incident.

PHYSICAL EVIDENCE

No physical evidence related to the use of force was collected. Digital photographs and the video interview of Patient [redacted] taken by Lancaster Station Sergeant Griffith following the use of force incident were provided to IAB investigators, along with photographs and video of the scene **[Exhibit B, Photos and Video]**.

INVESTIGATOR'S OBSERVATIONS

IAB investigators arrived at Lancaster Station for a Category 3 use of force investigation at 0900 hours on July 8, 2020. The assigned IAB investigator responded to Antelope Valley Hospital and contacted Patient [redacted] in the Emergency Room. The IAB investigator conducted a video interview of Patient [redacted] and conducted a visual check for injuries **[EXHIBIT E]**. The IAB investigator interviewed Witness Miranda from Antelope Valley Hospital concerning Patient [redacted]s injuries. On July 15, 2020, the IAB investigator received Patient [redacted]s medical report from the hospital which corroborated the medical diagnoses made by Witness Miranda.

The assigned IAB investigator responded to Lancaster Boulevard and the train tracks east of Sierra Highway and photographed the scene **[EXHIBIT E]**. While at the scene, the IAB investigator noted security cameras at an adjacent business, [redacted]" located at [redacted] **[EXHIBIT G,** [redacted] **Streetview Photo]**. The IAB investigator also noted traffic cameras nearby at the intersection of Sierra Highway and Lancaster Boulevard.

Photographs referenced during IAB interviews of the involved personnel are combined into one exhibit **[EXHIBIT I]**. The photographs presented during these interviews aided in identifying approximate locations and observations by the personnel interviewed.

WEAPONS USED BY DEPUTY PERSONNEL

None.

WEAPONS USED BY PATIENT [redacted]

None.

PROPERTY DAMAGE

None.

CRIMINAL INVESTIGATORS AND CHARGES FILED

No criminal charges were filed against Patient [redacted] for this incident.

LIGHTING AND WEATHER CONDITIONS

The incident occurred during darkness. There was ambient light from street lighting and the fire department and Sheriff patrol vehicles. The weather was clear and mild.

DISPATCH DOCUMENTS, CALL AUDIO, AND RADIO TRANSMISSIONS

IAB investigators obtained and reviewed all dispatch documents (C.A.D.), call log records, and radio traffic associated with the call for service and use of force involving Patient [redacted] **[Exhibit F]**. Witness [redacted] made two phone calls to 911, which were answered by Lancaster Station dispatch personnel. Dispatch personnel made telephonic notifications to Los Angeles County Fire and to Metrolink Operations regarding the incident. Deputies Nurse and [redacted] utilized the SCC Dispatch Channel (Channel15) radio frequency and Lancaster Local Tactical frequency (L-TAC) to communicate and coordinate their response to the call.

The initial call for service was entered at 0016 hours and dispatched at 0017 hours to Deputy Nurse, as the handling unit, and Deputy [redacted] was assigned to assist **[Exhibit F, CAD Documents-Incident History LAN20190-0003]**. The call was related to a disturbance at [redacted] West Lancaster Boulevard, Unit # [redacted]. The call details reported the client, [redacted] (FW/32), was wearing a red shirt and multi-colored shorts. She was walking down the street, knocking over trashcans over, and hitting parked vehicles inside the complex. There were no weapons. The call included "hazard" information indicating a non-violent history of mental illness and suicide attempts. Both units acknowledged the routine call.

At 0026 hours, the call details were updated reporting the disturbing person was on Sierra Highway and Lancaster Boulevard walking towards Lancaster Station. At 0028 hours, the call was upgraded to an emergent call. The updated details reported the disturbing party was schizophrenic, had picked up an unknown object, cut herself on her arm, and was sitting on the train tracks. The CAD record indicated Unit 111A was enroute to the call at 0030 hours and Unit 111 arrived on scene at 0032 hours. Neither field sergeant, Unit 110S or Unit 113S, was assigned to the call.

> **IAB Note:** The IAB investigator reviewed surveillance video footage, which confirmed Unit 111A's arrival was at approximately 0032 hours.

The following is a brief synopsis of the calls for service and radio transmission audio clips from July 8, 2020 (times were obtained from the audio timestamp).

0013 hours, 30 seconds: <u>1st Call for service</u>- Witness [redacted] reported Patient [redacted] was walking down the street and knocking over trash cans, hitting vehicles, and had "pooped" in the street. Patient [redacted] was currently at her apartment complex, at [redacted], and was making threats towards her caretakers and was knocking on neighboring apartment doors. There were no weapons but she threatened to break a window. Patient [redacted] was diagnosed with schizophrenia.

0025 hours, 39 seconds: <u>2nd Call for service</u>- Witness [redacted] reported she was at the intersection of Sierra Highway and Lancaster Boulevard and Patient [redacted] was by the train tracks. The patient attempted to cut herself with an object and was trying to walk in front of a train. The patient was currently sitting on the train tracks.

0029 hours, 03 seconds: Desk personnel called the Los Angeles County Fire Department to request a response for a 32 years old female, sitting on train tracks, who cut herself in the arm. The female (Patient [redacted] was wearing a red shirt and multi-colored shorts.

0030 hours, 13 seconds: LTAC- Lancaster Station dispatch personnel advised Units 111A/E (Deputy Nurse) and 111/E (Deputy [redacted] on the L-TAC radio frequency the call was upgraded to an emergent call. The patient was now seated on railroad tracks and had cut herself. Both units acknowledged the update and advised they were responding Code 3.

> **IAB Note:** The IAB investigator reviewed CAD and Dispatch Voiceprint records. The CAD records show the Lancaster desk updated the call at 0028 hours. The call narrative information was updated, the call priority was changed to emergent, and the call radio codes were changed from 415-Disturbance to 902A-Suicidal Person and 902R-Rescue Responding. The call routing was simultaneously changed from "D" (Digital) to "B" (Both digital and voiced) for the update to be voiced by the Sheriff's Communications Center (SCC) over the dispatch channel and sent electronically to the assigned Mobile Digital Computers. The voiceprint records indicate the call update was not voiced over the Lancaster Dispatch channel.

0030 hours, 59 seconds: LTAC- Deputy Nurse asked dispatch personnel if the subject had weapons or what she cut herself with. The desk responded it was unknown if the subject was in possession of the object she cut herself with and advised the subject was diagnosed with schizophrenia. Deputy [redacted] Unit 111, advised Deputy Nurse, Unit 111A, to continue "rolling in tandem," or responding together Code-3, and advised he had a Taser available. Deputy [redacted] confirmed the subject's location on the railroad tracks at Sierra Highway and Lancaster Boulevard with dispatch personnel.

0032 hours, 16 seconds: Dispatch Channel 15- Units 111 and 111A were on scene, investigating (Code-6), regarding the disturbance.

0034 hours, 50 seconds: LTAC- Deputy [redacted] requested the desk to contact the railroad operations center to make sure no trains were coming.

> **IAB Note:** There are two sets of train tracks at the location, Union Pacific freight tracks and Metrolink passenger train tracks. Deputy [redacted] did not specify which train operator to notify.

0036 hours, 30 seconds: Phone Call- Lancaster Station Watch Deputy Shane Dobra, #[redacted] called Metrolink Operations to notify them of a female sitting on train tracks at Sierra Highway and J Avenue. A Metrolink operator reported there were no Metrolink trains in the area. Deputy Dobra provided the incident (tag) number to the Metrolink operator.

0043 hours, 36 seconds: Dispatch Channel 15- Units 111 and 111A advised they were Code 4 (no further assistance needed) regarding the disturbance (415) and possible mentally ill person (918). A train horn was heard in the background.

VIDEO REVIEW

On July 15, 2020, IAB investigators obtained a copy of the surveillance video **[EXHIBIT G]** from [redacted]. The business was adjacent to and [redacted] of the train tracks and [redacted] of the location where Patient [redacted] refused to move from. The business' [redacted] facing security camera showed an image of the parking lot and Lancaster Boulevard. The video was dark and not clear as the camera was distant from the incident. The use of force is visible and audio is heard of Patient [redacted] screaming while being moved by the deputies. **(Video notations are provided at elapsed times in each video segment.)**

[redacted] **(Video 1: 0025-0030 Hours) –**

0:30 Patient [redacted] walked toward the train tracks as a train was passing. She was followed by three caretakers. One caretaker pulled Patient [redacted] back and moved in front of her. Patient [redacted] and the caretakers were near the train crossing gate and were behind a tree, which obstructed the camera view.

2:35 The train crossing gate went up and several persons were seen standing near the train tracks and crossing gate arm.

[redacted] **(Video 2: 0030-0035 Hours) –**

2:30 Two Sheriff patrol vehicles were seen and heard responding Code-3 and arrived at the location.

4:00 A deputy walked toward the train tracks from the east.

[redacted] **(Video 3: 0035-0040 Hours) –**

0:15 Fire department personnel arrived on scene.

2:00 Two deputies dragged Patient [redacted] near the crossing gate and a brief scream was heard.

[redacted] **(Video 4: 0040-0045 Hours) –**

3:17 The train crossing arm lowered down and a freight train traveled past the location.

IAB investigators also located two traffic monitor cameras at the intersection of Lancaster Boulevard and Sierra Highway, which are operated by the city of Lancaster. On July 15, 2020, IAB investigators obtained video footage from both east facing

cameras; however, the video was not very clear due to the distance of the incident from the camera. The force was not captured as the camera view was blocked by a fire department vehicle. The footage showed the arrival of patrol and fire department vehicles and the passage of freight trains on the tracks **[EXHIBIT G]**.

An IAB investigator contacted Witness [redacted] who provided a photograph of Patient [redacted] as she was seated on the train tracks. Witness [redacted] also provided a short video (called a boomerang), which showed fire personnel treating Patient [redacted] as the deputies stood aside **[EXHIBIT H]**.

> **IAB Note:** A boomerang video plays in a continuous forward then backward loop.

STATEMENTS

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interviews and verbatim transcriptions.

INVOLVED EMPLOYEES

Deputy Jeremiah Nurse

On December 15, 2020, an IAB investigator interviewed Deputy Nurse at Lancaster Station. On July 8, 2020, Deputy Nurse was assigned to a solo person patrol unit in the city of Lancaster. His duties included responding to routine and priority calls for service and emergencies. He was assigned a priority call for service regarding a female making suicidal statements, who had cut her arm with an unknown object. The female's caretakers, including the informant, were standing by at the location.

Deputy Nurse coordinated his response to the call with assisting unit, Deputy [redacted] by radio. Deputy Nurse communicated with Deputy [redacted] over the L-Tac frequency and directed him to meet at Sierra Highway and Lancaster Boulevard. Deputy Nurse assigned Deputy [redacted] to respond with "less-lethal," possibly a Taser **[Deputy Nurse's transcript, pages 4-5]**. Deputy Nurse also asked the Lancaster Station dispatcher if the female subject was still in possession of the weapon she used to cut herself. The dispatcher advised Deputy Nurse it was unknown what type of weapon she cut herself with.

When Deputy Nurse arrived on scene with Deputy [redacted] he saw the female subject seated on the train tracks and she was with three adult caretakers. He described the subject as a heavy-set, White female, wearing a multi-colored shirt, which was torn and stretched out from the neck area. She had a noticeable body odor and she appeared dirty, with dirty feet. Deputy Nurse noticed minor scratch marks on her arms, which confirmed to him she attempted to cut herself **[Deputy Nurse's transcript, page 10]**. When he was told the subject's name, [redacted] he recognized her as a person that was well known by Lancaster Station personnel on the early morning shift. Deputy

Nurse stated she was known to make suicidal statements. She often had to be physically moved but she was not known to fight and she often "wants to hold your hand" **[Deputy Nurse's transcript, pages 6-7].**

Deputy Nurse spoke to Witness [redacted] and Witness [redacted] at the scene regarding Patient [redacted]'s behavior. Witness [redacted] told him Patient [redacted] was behaving erratically and walked away from her apartment. She picked up an unknown item from the ground and tried to cut herself with it. Witness [redacted] told Deputy Nurse Patient [redacted] ran towards a moving train and stated she wanted to kill herself. Witness [redacted] restrained her by grabbing her by the shirt to prevent her from running to the moving train.

Deputy Nurse attempted to talk to Patient [redacted] to gain voluntary compliance for approximately seven minutes. He stooped down to get "to her level" so he would not intimidate her or tower over her. Patient [redacted] was very passive and did not want to interact with the deputies. She had a blank stare and did not respond to them. Based upon his observations and interactions with her, Deputy Nurse concluded she was having a psychotic episode, may be suicidal, and was an imminent danger to herself. He determined the need to place her on a psychiatric evaluation hold.

While at the scene, Deputy Nurse saw a freight train approaching from about 300 to 400 yards away. Although he could not tell how fast it was traveling, based on his experience of observing the freight trains in the area, he estimated they travelled at least 40 to 50 miles per hour and they "do not stop moving." Deputy Nurse stated the station dispatcher was asked to contact the train conductor to advise them of the situation. The fire department personnel also expressed concern that it was time to move Patient [redacted] from the train tracks **[Deputy Nurse's transcript, pages 12-13].**

Deputy Nurse communicated a plan with Deputy [redacted] to drag Patient [redacted] away from the train tracks for her safety. Deputy Nurse told Deputy [redacted] to grab her right side and he would grab her left side. Deputy Nurse grabbed Patient [redacted] under her left arm and by the bicep, like an under hook. Deputy [redacted] grabbed her right side in a similar manner. Together they moved her backwards a few feet. Patient [redacted] did not offer any resistance and did not attempt to stand up and walk. Deputy Nurse stated she was "dead weight" and let her feet drag on the ground **[Deputy Nurse's transcript, pages 14-15].** Deputy Nurse heard a pop from her shoulder and he felt a shift in Patient [redacted]'s weight. After the movement, Patient [redacted] stated, "Ow, my shoulder" **[Deputy Nurse's transcript, pages 16-17].**

After she was removed from the train tracks, the fire department personnel picked her up and placed her onto a gurney, without the assistance of deputy personnel. Patient [redacted] was transported to Antelope Valley Hospital by ambulance. The freight train passed by shortly thereafter **[Deputy Nurse's transcript, page 17].** Deputy Nurse responded to the hospital and completed a psychiatric hold application and an incident report.

Deputy Nurse identified the patient's actions as passive resistance. He felt there was a situational exigency with the train approaching and he had the legal justification to detain her for 5150 W.I.C. He identified his use of control holds on the patient and he felt his actions were reasonable.

Prior to leaving the scene, Deputy Nurse contacted Sergeant Griffith by phone and notified him of the incident. He told Sergeant Griffith Patient [redacted] sat there with a blank stare and did not physically resist; however, she complained of an injury and Deputy Nurse wanted to make sure he properly reported his use of force or rescue force as required.

Sergeant Griffith later debriefed the incident with Deputy Nurse and Deputy [redacted] The debriefing included discussion of the coordination of the call, to ascertain if the patient possessed any weapons, and the assignment of less lethal roles. The sergeant told Deputy Nurse the situation was handled appropriately given the circumstances.

Deputy Nurse was shown three photographs during his interview [**EXHIBIT I**]. He was shown a photograph of the train tracks which was taken by IAB investigators during daytime hours. Deputy [redacted] identified the photograph depicted the intersection of Lancaster Boulevard and Sierra Highway, where the incident occurred and he marked the picture where the patient was seated. Deputy Nurse was shown a picture of the patient sitting on the tracks and he stated the picture showed what he saw when he arrived on scene. In another photo obtained from Lancaster traffic cameras at the intersection, Deputy Nurse identified where the patient was seated on the tracks, and identified himself and the location of his vehicle **[Refer to EXHIBIT I, Nurse photos A, B, C].**

Deputy [redacted]

On December 15, 2020, an IAB investigator interviewed Deputy [redacted] at Lancaster Station. On July 8, 2020, Deputy [redacted] was working a solo person patrol unit in the city of Lancaster. He was assigned to assist Deputy Nurse on a call for service regarding a female in distress for mental health, who was walking around and kicking trash cans. The call was later updated, which indicated the female was sitting on the railroad tracks and she was saying she wanted to commit suicide.

Deputy Nurse coordinated with Deputy [redacted] over the L-Tac frequency, and advised him to meet at the scene, since they were responding in tandem from the same location. The deputies were aware the fire department was also responding to the call.

Upon their arrival, Deputy [redacted] saw the patient sitting on the railroad tracks and three other civilians were standing next to her. Deputies [redacted] and Nurse contacted one of the caretakers who told them the patient routinely had "outbursts" and was having problems all night. She walked down the street kicking trash cans, was acting crazy, and then sat on the train tracks **[Deputy [redacted] s transcript, pages 6-7].** Deputy

[redacted] noticed the patient's clothing was torn, which was caused by the caretakers trying to prevent her from running to the train tracks. They attempted to restrain the patient but let her go when there was no imminent danger because there was no train coming. Deputy [redacted] was not familiar with Patient [redacted] and he did not notice any injuries on her.

Deputies [redacted] and Nurse attempted to talk to the patient but she was upset and uncooperative. She would not make eye contact with them and she was adamant she was not going to move. She said she did not care and was going to let the train hit her **[Deputy [redacted]'s transcript, page 7].**

Deputy [redacted] contacted dispatch and asked for the trains to be shut down to have more time to gain compliance from the patient. He was not sure if dispatch communicated the request or if the trains were not able to shut down in time **[Deputy [redacted]s transcript, page 8].** Deputy [redacted] estimated they spent about 10 to 15 minutes attempting to verbally persuade the patient to move off the train tracks. The fire department arrived on scene and it appeared they were familiar with her.

While Deputies [redacted] and Nurse spoke with the patient, they noticed a train approaching on the tracks. Deputy [redacted] stated the train was far away but he could see the light, he heard the horn, and felt the vibrations on the tracks. He was familiar with the freight trains at the location and stated the trains moved "uncomfortably fast." He expressed it was not safe to remain standing near the tracks and he was concerned the patient was going to be hit and killed by the train **[Deputy [redacted]'s transcript, page 9].**

Deputies [redacted] and Nurse spoke to each other and decided the patient was going to have to be pulled off the tracks. Based on her weight, they discussed a plan to perform a "body drag." They asked her to move one more time and when she refused, both deputies grabbed a hold of her arms. Deputy [redacted] looped his arm underneath the patient's right armpit and they counted to three to coordinate a smooth pull of the patient. The patient's body remained limp as they moved her about three feet off the train tracks **[Deputy [redacted]s transcript, pages 9-11].** As they came to the end of the drag, Deputy [redacted] heard a "pop" from her left side, and the patient said, "Ow" **[Deputy [redacted]s transcript, page 11].**

Deputy Nurse asked the fire department to transport the patient to Antelope Valley Hospital for a psychiatric evaluation via ambulance, because she was not compliant with them. Deputy [redacted] noticed the patient complained of pain to her "left side," when the fire department personnel lifted her onto a gurney. While at the hospital, it was discovered the patient had a broken collarbone. Deputy [redacted] was "shocked" to learn Patient [redacted] suffered a broken collarbone because of how "gently" they moved her **[Deputy [redacted]s transcript, pages 12-13].** He further stated, "Even when the pop sound happened, she didn't even react in a sense of like flinching or wincing in pain or anything like that. She just said, 'Ow.' But that's why we didn't think it was serious

either. She didn't reach for her shoulder, anything like that" **[Deputy [redacted] s transcript, page 15]**.

While still at the scene, Deputies [redacted] and Nurse spoke to Sergeant John Griffith by cell phone and reported the incident to him. Deputy [redacted] stated they reported their actions and the possible injury Patient [redacted] sustained because of the "pop" they heard when they moved her. Deputy [redacted] wrote a supplemental report describing the incident and the force he used. He explained the patient did not actively resist their efforts, but she was passively resistive because she was completely limp. He described the force he used as being a control hold **[Deputy [redacted]'s transcript, pages 15-17].** Deputy [redacted] debriefed the incident with Sergeant Griffith and Deputy Nurse. They discussed reportable force and injuries sustained by subjects while contacted by deputies.

Deputy [redacted] felt the situation was exigent because of the approaching train and her threat of harming herself by being hit by a train. Deputy [redacted] felt it was important to engage the patient early on because they did not have control of when the next train would come **[Deputy [redacted] s transcript, pages 15-16].**
Deputy [redacted] was shown three photographs during his interview **[EXHIBIT I].** He was shown a photograph of the train tracks that was taken by IAB investigators during daytime hours. Deputy [redacted] identified the photo depicted the intersection of Lancaster Boulevard and Sierra Highway, where the incident occurred and he marked the picture where the patient was seated. Deputy [redacted] was shown a picture of the patient sitting on the tracks and he stated the picture showed exactly how Patient [redacted] was when he arrived on scene. Deputy [redacted] was shown a picture obtained from video footage from a camera operated by the city of Lancaster. Deputy [redacted] identified his vehicle parked on the south side of the street and Deputy Nurse's vehicle parked in the distance. He was not able to identify himself in the photo but stated the picture appeared to show the incident and scene **[Refer to EXHIBIT I, [redacted] photos A, B, C].**

WITNESSES

Sergeant John Griffith

On December 31, 2020, an IAB investigator interviewed Witness Sergeant John Griffith, who was assigned as the field sergeant, Unit 110S, at Lancaster Station on July 8, 2020. Witness Griffith was promoted to the position of sergeant in January 26, 2020. He was assigned to Lancaster Station on May 10, 2020.

Witness Griffith was alerted to the call for service when he received a phone call from Deputy Nurse. Deputy Nurse explained the situation and he described how he and Deputy [redacted] removed '[redacted] without resistance from the railroad tracks. As they pulled her, she stated, "Ow," and felt she may have been injured. Witness Griffith directed Deputy Nurse to follow the transporting ambulance to the hospital and he would respond. Witness Griffith was not aware of the call and was not dispatched to the

call **[Witness Griffith's transcript, page 3].** Witness Griffith believed the call initially was described as a "415" (disturbance) call and it did not catch his attention **[Witness Griffith's transcript, page 9].**

Witness Griffith arrived at the scene approximately ten to twenty minutes after the call from Deputy Nurse. When he arrived, there were no witnesses present. Witness Griffith took photographs and video footage of the scene based on what was described to him by Deputy Nurse. Afterwards, Witness Griffith responded to Antelope Valley Hospital to obtain a statement from Patient [redacted] Witness Griffith stated his interview with Patient [redacted] was not clear. She was crying and he was unable to recall if she provided a clear statement concerning the incident. Witness Griffith did not see any visible injuries to Patient [redacted] **[Witness Griffith's transcript, pages 4-5].**

Witness Griffith reviewed and approved the written reports by Deputies Nurse and [redacted] He stated the reports were consistent to what he was verbally told and they identified the threat the subject posed, the situational exigency, the legal justification for detaining the subject, the need to engage the subject, the attempts to deescalate, the subject's actions, and the force they used and witnessed. Witness Griffith felt the force used was reasonable and necessary **[Witness Griffith's transcript, pages 6-7].**

Witness Griffith debriefed the incident with Deputies Nurse and [redacted] later during the same shift. Witness Griffith discussed the tactics they used to remove Patient [redacted] from the train tracks, requesting additional help from the fire department, and requesting a sergeant sooner. Witness Griffith stated the deputies decision to remove the patient from the tracks, after being unable to slow or stop the train, was a positive action that kept her and themselves out of harm's way. Witness Griffith did not identify any serious concerns regarding the incident. He felt the deputies did an excellent job, and if they would have hesitated or not have moved the patient, she may have been hit by the train **[Witness Griffith's transcript, page 8].**

Witness Griffith notified the Watch Commander, Sergeant Jacques Moreno #[redacted], of the incident and made telephonic notification to the on-call IAB lieutenant at approximately 0530 to 0600 hours.

Witness Fire Captain Michael Cash

On July 10, 2020, IAB Sergeant Cunningham interviewed Witness Michael Cash by telephone. Witness Cash is a fire captain employed by the Los Angeles County Fire Department and is assigned to Station 33 in Lancaster. On July 8, 2020, Witness Cash was assigned as the captain for Engine 233, and they responded to a call for service for an injured person by the railroad tracks at Lancaster Boulevard and Sierra Highway.

Upon their arrival, Witness Cash saw Patient [redacted] sitting on the train tracks. Witness Cash was familiar with Patient [redacted], since he previously responded to numerous calls involving her. He described her as having a "long history of psychiatric

issues" **[Witness Cash's transcript, page 2]**. Witness Cash saw two deputies were trying to talk to her and they told her to get off the tracks. Patient [redacted] was not listening to them. Fire department personnel, along with a couple of caretakers or social workers who were at the scene, also tried to talk her off of the train tracks.

Witness Cash described Patient [redacted]'s response to the deputies who were talking to her, as acting real stubborn, and refusing to talk, refusing to "help us help her" **[Witness Cash's transcript, page 4].** Witness Cash stated this was common behavior by Patient [redacted]. In the past, Patient [redacted] had been violent with fire personnel by throwing things at them, spitting on them, and trying to bite them **[Witness Cash's transcript, page 6].**

Witness Cash stated he noticed a train was approaching from the north. He could see the light of the train and it appeared it was "slowing down or creeping" **[Witness Cash's transcripts, page 3].** One of the deputies on scene told Witness Cash the train was notified of the incident, but he was concerned for the immediate safety of the patient, along with everyone else involved. Witness Cash told his fire personnel and the deputies, "Hey, let's get her off the tracks right now" **[Witness Cash's transcript, page 5].**

Witness Cash stated the two deputies grabbed Patient [redacted] underneath her arms, picked her up, and dragged her five feet away from the railroad tracks. Patient [redacted] was not willing to cooperate. He described the drag as something similar to a "dummy-drag" taught in the academy or how one would drag a person who is unconscious **[Witness Cash's transcript, page 6].**

After Patient [redacted] was removed from the train tracks, four of Witness Cash's fire personnel stepped in, picked her up, and placed her on a gurney. The deputies were not involved with lifting her onto the gurney. Patient [redacted] began yelling at fire department personnel and said her arm hurt. Witness Cash instructed his personnel to physically evaluate her, but they did not identify any injuries. Patient [redacted] was taken to Antelope Valley Hospital for psychiatric treatment **[Witness Cash's transcript, pages 7-8]**.

Witness Cash felt the deputies did a great job and were extremely professional. He stated the deputies started "at the lowest level" to try to get her to cooperate and get her to a safe position. Witness Cash did not believe there was anything else the deputies should have or could have done **[Witness Cash's transcript, pages 8-9].**

Witness Firefighter Specialist John Fernandez

On July 10, 2020, IAB Sergeant Jason Cunningham interviewed Witness John Fernandez by telephone. Witness Fernandez is employed as a firefighter specialist for the Los Angeles County Fire Department at Fire Station 33 in Lancaster. On July 8, 2020, he was assigned to Engine 233.

During the early morning hours, they responded to a call involving Patient [redacted] at Lancaster Boulevard and Sierra Highway. When they arrived, he saw Patient [redacted] sitting on the train tracks and she stated she wanted to be hit by the train. The deputies talked to Patient [redacted] and told her she needed to get off of the train tracks; however, she refused to move. Witness Fernandez stated the deputies were professional and very polite during their attempts to convince Patient [redacted] to stand up **[Witness Fernandez' transcript, page 3].** Fire department personnel also tried to talk with Patient [redacted] but she refused to get up. Witness Fernandez was familiar with Patient [redacted] and he had responded to calls involving her several times. He described her as a behavioral patient with a history of psychiatric episodes.

Witness Fernandez saw a southbound train approaching the area and his captain, Witness Cash, told everyone, "Hey we need to get her off the train tracks and clear the scene" **[Witness Fernandez' transcript, page 3].** Patient [redacted] kept her arms clenched as if she was "bear-hugging" herself and she did not want anyone to grab her. The deputies then grabbed a hold of Patient [redacted], "put their arms underneath her arms," and pulled her off the train tracks. They "drug her on her butt off the train tracks about ten feet" **[Witness Fernandez' transcript, page 3].** Patient [redacted] kept her legs and butt on the ground and was "dead weight the entire time." Witness Fernandez stated the deputies actions were not aggressive and was not an excessive use of force **[Witness Fernandez' transcript, page 3].**

After the deputies dragged Patient [redacted] away from the tracks, they left her in a seated position on the ground. The fire personnel, along with AMR personnel, lifted her up and placed her on a gurney, strapped her down, and placed her inside an ambulance. She was not handcuffed. Witness Fernandez stated a freight train was approximately half a mile away when the deputies removed her from the tracks. The train passed when she was placed inside the ambulance.

Witness Fernandez stated Patient [redacted] did not initially complain of any pain or injury, but after being placed in the ambulance he heard her say, "Oh, you fucking hurt my arm" **[Witness Fernandez' transcript, page 4].**

Witness Fernandez stated the deputies did a "great job" and were "very professional." The deputies were "very courteous" to Patient [redacted]. They were "very gentle" and "easygoing." They never "cursed at her" or "treated her bad," nor used any excessive force. If they had not acted when they did, Patient [redacted] would have been hit by the train and may have possibly been killed. Also, inaction may have resulted in injuries to deputy and/or firefighter personnel **[Witness Fernandez' transcript, pages 5-6].**

Witness Firefighter Colton Arrieta

On July 13, 2020, IAB Sergeant Jason Cunningham interviewed Witness Colton Arrieta by telephone. Witness Arrieta is employed as a firefighter for the Los Angeles County Fire Department at Fire Station 33 in Lancaster. On July 8, 2020, Witness Arrieta was assigned to Engine 233.

At approximately 2300 hours, they responded to a "Psych Rescue" call involving Patient [redacted] on the corner of Lancaster Boulevard and Sierra Highway. Upon their arrival, Witness Arrieta saw Patient [redacted] sitting on the train tracks and two deputies were already on scene. Witness Arrieta said the deputies and the fire personnel "tried many times" to talk to Patient [redacted] to get her off the tracks but she did not respond. Patient [redacted] was fully coherent and could hear them but she refused to speak to them **[Witness Arrieta's transcript, pages 2-3]**.

Witness Arrieta said his fire captain, Witness Cash, told the deputies to move Patient [redacted] off the tracks because a train was approaching. He said the train was off in the distance but there was an immediate sense of urgency to get her off the tracks. The deputies were positioned by each side of Patient [redacted] grabbed her from underneath her armpit, and dragged her backwards. Patient [redacted] "wasn't trying to help out at all" **[Witness Arrieta's transcript, page 4].** The deputies dragged the "heavy set woman" a "couple feet…just to get her off the tracks and out of the way" **[Witness Arrieta's transcript, page 5].** Witness Arrieta said Patient [redacted] was not cooperating and was kind of resisting by "putting all her weight [down] and like kind of moving around" to prevent the deputies from moving her **[Witness Arrieta's transcript, page 5].** She was not handcuffed.

Once Patient [redacted] was placed on the gurney, she complained the deputies hurt her shoulder when they dragged her off the tracks. Witness Arrieta did not see any visible injuries. She was taken to Antelope Valley Hospital for her suicide attempt.

Witness Arrieta felt the deputies did a good job and if the deputies had not acted when they did, he and his partner would have done the same thing, and dragged Patient [redacted] off the train tracks. He said the deputies actions appeared to be routine and nothing out of the norm **[Witness Arrieta's transcript, page 8].**

Witness Nurse Practitioner Vicky Miranda

Witness Miranda was interviewed by IAB investigators on July 8, 2020, at Antelope Valley Hospital. Witness Miranda provided IAB investigators a statement concerning Patient [redacted]s injuries and medical history. Witness Miranda was familiar with Patient [redacted] because she had multiple visits to the Antelope Valley Hospital Emergency Department for attempts to kill herself. Patient [redacted] had been diagnosed as being schizophrenic, bipolar, and autistic. During the current visit, Witness Miranda stated Patient [redacted] complained of pain to the left clavicle and no other injuries were identified. Witness Miranda stated she believed the injuries were likely from her contact with deputies, but also believed she may have fallen off the gurney while at the hospital. Witness Miranda told investigators, Patient [redacted] was not under the influence of drugs or alcohol.

IAB Note: On July 15, 2020, Witness Miranda told IAB investigators Patient [redacted]s toxicology screening results showed no alcohol or

recent drug use. She also confirmed Patient [redacted] did not fall off a gurney while at the hospital.

Witness [redacted]

On July 13, 2020, IAB Sergeant Cunningham interviewed Witness [redacted] by telephone. Witness [redacted]s employed as a caregiver for Patient [redacted]. Patient [redacted] has 24-hour care for her behavioral issues and mental condition. Witness [redacted] was working as one of three caregivers for Patient [redacted] during the early morning hours of July 8, 2020.

Witness [redacted] stated at approximately 0030 hours, Patient [redacted] became upset when her caregivers declined to provide her an asthma inhaler, which the patient wanted to use to treat her complaint of heartburn. Patient [redacted] left her apartment and became disruptive, knocking over trashcans and she punched parked vehicles. The caregivers called "911" to report the incident.

Patient [redacted] briefly returned to her apartment, but subsequently left her residence, and she walked toward the direction of Lancaster Station. She picked up a sharp object from the ground and tried cutting herself with it. When Patient [redacted] "realized she couldn't cut herself with it, she threw it" onto the ground **[Witness [redacted]s transcript, pages 1-2; 4].** At approximately 0100 hours, the caregivers called "911" a second time, and informed the dispatcher Patient [redacted] attempted to cut herself and they were scared she was going to hurt herself.

Patient [redacted] continued to walk and noticed a cargo train approaching on the train tracks on Lancaster Boulevard at "normal speed" **[Witness [redacted]s transcript, pages 2-3].** Patient [redacted] ran toward the moving train and said she was going to jump in front of the train. Another caregiver, [redacted]" grabbed her by her shirt and pulled her back. The train passed and she was released. She sat on the tracks to wait for the next train.

When deputies arrived, Patient [redacted] was sitting on the railroad tracks. Witness [redacted] described two deputies arrived in separate vehicles before the fire department arrived. The deputies tried to "talk her off the tracks;" however Patient [redacted] refused to comply. Patient [redacted] told the deputies she wanted to go to the hospital after being hit by the train. The deputies noticed another train was approaching and they asked her to stand up and take a few steps away from the tracks, but she declined. Each deputy then grabbed her by her arm, under her armpits, and pulled her off the tracks, approximately six or seven feet. Witness [redacted] stated Patient [redacted] was bearing her weight down, which made it difficult for the deputies to lift her up. Patient [redacted] "started hollering" as the deputies dragged her, but she stopped as soon as they finished pulling her **[Witness [redacted]s transcript, page 6].** Witness [redacted] saw the incident while standing approximately ten feet away on the sidewalk **[Witness [redacted]'s transcript, page 5].**

Afterwards, the paramedics and fire department personnel picked up Patient [redacted] and placed her on a gurney. Witness [redacted] heard Patient [redacted] complain of pain to her shoulder or arm, but she did not see any injuries.

Witness [redacted] stated the deputies did their job well. Had they not acted when they did, the situation would have been prolonged. Witness [redacted] stated another train was approaching and although it was "kind of far," there was a sense of urgency to get Patient [redacted] off the tracks. **[Witness [redacted]'s transcript, pages 9-10].** Witness [redacted] stated law enforcement had previously been called out several times for Patient [redacted]s episodes.

> **IAB Note:** Witness [redacted] provided IAB investigators a photograph of Patient [redacted] seated on the train tracks and a short video of fire fighters attending to Patient [redacted] on the gurney **[Exhibit H].**

Witness [redacted]

On July 13, 2020, IAB Sergeant Cunningham interviewed Witness [redacted] by telephone. On July 8, 2020 Witness [redacted] was employed as "Supportive Living Staff" for Patient [redacted] to assist her with her mental disabilities.

During the night, Patient [redacted] was intent on walking to the police station, because she wanted the paramedics to be summoned to transport her to the hospital. Patient [redacted] had already urinated and defecated on herself, and she kicked over trash cans and hit parked cars. While Witness [redacted] and the other caregivers followed Patient [redacted] toward the police station, she picked up a plastic item from the ground and started "gashing" her left arm with it. She did not draw any blood, but Witness [redacted] believed she may have bruised herself, since she was "scratching it real tough" **[Witness [redacted]s transcript, page 4]**.

As they approached the train tracks, Patient [redacted] noticed a Union Pacific train was approaching and she told them, "I am going to run into the train" **[Witness [redacted]'s transcript, page 1].** Patient [redacted] ran towards the train and Witness [redacted] chased her. He grabbed her by her shirt, pulled her back near the crossing arm gate, and stood in front of her until the train passed. Afterwards, Patient [redacted] sat on the train tracks, and she stated she would wait for the next train to come and hit her **[Witness [redacted]s transcript, page 3]**.

One of the other caretakers called "911," sometime between 2345 hours and 0000 hours, because of Patient [redacted]s suicide attempt of running into the train. Two deputies arrived approximately five minutes later and the fire department arrived shortly after. The deputies negotiated with Patient [redacted] and asked her if they could help her up, and they attempted to ascertain what help she needed. Patient [redacted] started talking "foul, like she normally does" and "talking crazy to people" **[Witness [redacted]'s transcript, page 5].** The deputies then backed away and waited on the fire department.

The fire department arrived and talked to Patient [redacted] but she remained uncooperative. Fire department personnel "gently" tried to lift her up and she flared her legs out. Witness [redacted] stated, "they had to just pull her with no intentions on hurting her or injuring her or anything, but they had to get her off the tracks" **[Witness [redacted]'s transcript, page 5].** Witness [redacted] did not recall the deputies putting their hands on or moving Patient [redacted]. Witness [redacted] believed the deputies stood by with the caregivers, approximately two feet away, while the fire department moved Patient [redacted] about two feet away from the train tracks. Witness [redacted] stated Patient [redacted] was placed on the gurney and she screamed, "Oh, you guys broke my arm."

Witness [redacted] felt the deputies who responded did a good job because they handled the call by being calm and they did not bring any tension to the situation. Witness [redacted] stated the deputies "pretty much handled it in a manner of how we're [caretakers] taught to handle it. Is to come and be calm, and just talk" **[Witness [redacted]'s transcript, page 10]**. If the deputies and firefighters did not act when they did, Witness [redacted] believed Patient [redacted] would have sat there and let the train hit her, because she was not in her right frame of mind **[Witness [redacted]s transcript, page 9].**

Witness [redacted]

On July 10, 2020, IAB Sergeant Cunningham interviewed Witness [redacted] by telephone. Witness [redacted] was working as one of three caretakers for Patient [redacted]. She stated Patient [redacted] had not been diagnosed with any mental condition, but she had behavioral episodes where she would act out by throwing feces at her caretakers, urinate on the floor, defecate in public, break windows to get out of her home, and would put herself in danger by sitting or walking in the street in front of passing cars **[Witness [redacted]s transcript, page 5].**

On July 8, 2020, Witness [redacted] stated Patient [redacted] had a behavioral episode, and she was knocking over trash cans and hitting vehicles. At 0015 hours, Witness [redacted] called for deputies to respond to the location "to be safe." Patient [redacted] returned to her apartment and threatened to leave if Witness [redacted] did not cancel the call. Witness [redacted] refused to cancel the call and Patient [redacted] walked out of her house and walked westbound on Lancaster Boulevard towards Yucca Avenue. Witness [redacted] and the other caretakers followed Patient [redacted] and kept a close distance. Patient [redacted] grabbed an object from the ground and "made, like, a minor injury to her arm." As soon as Patient [redacted] heard the train horn, she ran toward the train tracks, and threatened to run in front of the train. The caretakers ran after her and "[redacted]" (Witness [redacted]) grabbed her by the shirt and pulled her back. Witness [redacted] and Witness [redacted] then stood in front of her, blocking her from moving toward the train. Witness [redacted] called "911" at approximately 0025 hours and provided the dispatcher an update of what occurred. After the train passed, Patient [redacted] sat on the train tracks.

Two deputies arrived at approximately 0035 hours and they tried to convince Patient [redacted] to remove herself from the train tracks. The deputies knew Patient [redacted] and they offered her to hold onto their arms to move onto the sidewalk. Patient [redacted] was not compliant with them and told them she was not going to move. The deputies waited for the fire department to arrive about a minute later.

The deputies saw a train approaching on the tracks Patient [redacted] was sitting on. Witness [redacted] stated the train was far away and she could not tell if it was moving. The deputies saw the train's headlight, became concerned and thought they should act right away **[Witness [redacted]'s transcript, page 12].** The deputies grabbed Patient [redacted] by each arm and pulled her back about six feet. Witness [redacted] heard Patient [redacted] complain she was hurt when the deputies moved her. Witness [redacted] noticed Patient [redacted]'s shorts slid down and she believed Patient [redacted]'s buttocks may have scraped the ground as the deputies dragged her.

Once Patient [redacted] was lifted onto a gurney by fire department personnel, she complained her right arm and shoulder were hurt. Witness [redacted] felt Patient [redacted]'s clavicle was injured when she was placed on the gurney, because she was not compliant with fire department personnel and she tried "to put her weight down" as they lifted her up. She stated, "I mean, I know she's a heavy woman, so they were gonna struggle" **[Witness [redacted]'s transcript, page 12].** Patient [redacted] was not restrained or handcuffed and she was transported to Antelope Valley Hospital.

Witness [redacted] stated if the deputies had not acted when they did, Patient [redacted] would have waited for the next train and let it hit her. She felt the deputies acted appropriately.

PATIENT STATEMENTS

Field Sergeant's Interview Conducted by Witness Sergeant Griffith

On July 8, 2020, at 0205 hours, Witness Griffith interviewed Patient [redacted] at Antelope Valley Hospital regarding the use of force incident. Witness Griffith asked Patient [redacted] to explain what occurred with deputies. Patient [redacted] began to cry and stated she did not remember what happened. She acknowledged she was sitting on the train tracks but did not explain why she was sitting there. Patient [redacted] told Witness Griffith her left shoulder was in pain. Patient [redacted] denied using drugs or alcohol. She takes medication for her "behavior" but denied any history of mental illness. This interview was videotaped **[EXHIBIT B]**.

IAB Investigator Interview with Patient [redacted]

On July 8, 2020, at 1011 hours, IAB Sergeants Cunningham and Chang video interviewed Patient [redacted] at Antelope Valley Hospital. Patient [redacted] was in the emergency room, lying on a gurney with a sling on her left arm. Patient [redacted] was

asked about the incident and she answered some questions with short nods or shakes of her head **[Exhibit E].**

Patient [redacted] admitted there was an incident with deputies near train tracks but did not know what happened. She said her arm was broken, and complained of pain in her left shoulder area. The IAB investigators checked her body for other signs of injuries but did not find any. She did not know why her shirt was ripped nor why she was at the hospital.

Patient [redacted] affirmed she was under the care of a doctor, but unsure why. She stated she had caregivers who took care of her. She denied using drugs or alcohol and admitted to taking medication but did not know what.

Patient [redacted] was not re-interviewed due to her mental condition and her failure to recall any details during both the field sergeant's interview and the IAB investigators' interview on the day of the incident.